IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

) Docket: 29409-1 Applicant: Fuller

) Conf. No.:2250 Serial No.: 09/944,922

) Examiner: Torres Filing Date: 8/31/2001

) Art Unit: 3671 Title: WHEELED TRIMMER

PETITION TO ACCEPT UNINTENTIALLY DELAYED RESPONSE IN AN ABANDONED APPLICATION (37 CFR 1.378b)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Response to FINAL ACTION

A Notice of Appeal is filed herewith in response to the final action dated 11/15/2004.

Surcharge

The surcharge for unintentional abandonment of \$750 is submitted herewith.

Manner of Payment

Please charge Deposit Account No. 08-0719 the sum of \$750. A duplicate of this sheet is attached. The Director is hereby authorized to charge any deficiency or credit any

overpayment to Deposit Account No. 09-0719.

05/24/2005 SLUANG1 00000034 080719 09944922 01 FC:2453

750.00 DA

Statement

The delay in responding the the Notice was unintentional.

PETITIONERS REQUEST THAT THE RESPONSE BE ACCEPTED AND THE APPLICATION REINSTATED.

Respectfully submitted,

May 19, 2005

Joseph 7. Guy, Ph.D. Agent for Applicant

Registration Number 35,172

NEXSEN PRUET LLC

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Certificate of Mailing (37 CFR 1.8(a))

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

19 May 2005

Jackie Beavers